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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GUCCI AMERICA, INC.,

Plaintiff,

- against -

FRONTLINE PROCESSING CORPORATION,  
WOODFOREST NATIONAL BANK, DURANGO  
MERCHANT SERVICES LLC d/b/a NATIONAL  
BANKCARD SYSTEMS OF DURANGO, ABC  
COMPANIES and JOHN DOES,

Defendants.

09 Civ. 6925 (HB)

**NOTICE OF MOTION  
PURSUANT TO FED. R. CIV.  
PRO. 12(b)(2) TO DISMISS  
COMPLAINT FOR LACK OF  
PERSONAL JURISDICTION  
OVER THE NAMED  
DEFENDANTS**

PLEASE TAKE NOTICE that upon the Affidavit of Christopher Kittler, President of defendant Frontline Processing Corporation, duly sworn to on October 29, 2009; the Declaration of Charles A. Vernon, Senior Vice President and General Counsel of defendant Woodforest National Bank, dated October 30, 2009; and the Declaration of Shane Kairalla a principal of defendant Durango Merchant Services LLC, duly sworn to on October 29, 2009; and defendants' accompanying Memorandum of Law; together with all prior pleadings and proceedings heretofore had herein, the named Defendants herein, moving jointly, will move this Court before the Honorable Harold Baer, Jr., at the United States Court House located at 500 Pearl Street,

New York, New York for an Order pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure dismissing the Complaint herein for lack of personal jurisdiction as against Defendants, together with such other further and/or different relief as to the Court may seem just an proper.

Dated: New York, New York  
October 30, 2009

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